

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

EUGENE KLINE, et al.,)	CASE NO. 3:08cv408
)	
Plaintiffs,)	JUDGE WALTER HERBERT RICE
)	
vs.)	
)	
MORTGAGE ELECTRONIC SECURITY)	DECLARATION OF PAUL
SYSTEMS, et al.,)	GROBMAN IN SUPPORT OF
)	PLAINTIFF'S MOTION TO COMPEL
)	PRODUCTION AGAINST THE
Defendants)	REIMER FIRM
)	

Paul Grobman, being duly sworn, deposes and says under the penalty of perjury:

1. I am the attorney for plaintiff in this action, and submit this Declaration in Support of Plaintiff's Motion to Compel Production Against the Reimer Firm.
2. Annexed as Exhibit A are excerpts from the February 20, 2015 Deposition of Dennis Reimer.
3. Annexed as Exhibit B is an e-mail from Timothy Brick to plaintiff's counsel dated February 20, 2015.

Efforts to Resolve This Matter Without Judicial Intervention

4. Pursuant to Local Rule 37.2, this is to certify that I have made good-faith efforts to attempt to obtain the documents which are subject to the privilege waived by Reimer Lorber, but have not succeeded in doing so.
5. On both August 27, 2015 and on August 31, 2015, I wrote to Lori Brown, counsel for Reimer Lorber, and advised her of my belief that Reimer Lorber had waived any purported privilege in the documents relating to Reimer Lorber's relationship with

Rosicki by relying on -- and quoting from -- the Addendum in their memo of law filed with the court on August 26, 2015.

6. By letter dated September 1, 2015, counsel for Reimer Lorber advised me that they would not produce the Addendum or any other documents "as there has been no waiver." (See Sept. 1, 2015 letter annexed hereto as Exhibit C, p. 1).



PAUL GROBMAN